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PCSSD // SECTION 1: BOARD

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GOVERNANCE AND OPERATIONS

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**SECTION 1: BOARD  
GOVERNANCE AND  
OPERATIONS**

Section 1 of the ASBA contains policies, regulations, and exhibits on the school board – how it is appointed or elected; how it is organized; how it conducts meetings, and how the board operates. This section includes by laws and policies establishing the board's internal operating procedures.

**1.1: LEGAL STATUS OF THE BOARD  
OF DIRECTORS**

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose. In matters such as personnel discipline, expulsions, and student suspensions initiated by the superintendent, the Board serves as a finder of fact, not unlike a jury. For this reason, the board should not be involved in or, to the extent practicable, informed of the facts or allegations of such matters prior to a board hearing.

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on those disciplinary matters in which the Board could become involved.

It is the policy of the Pulaski County Special School District School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the District as a whole.

**Legal Reference:** A.C.A. § 6-13-620

**Adopted:** 3/8/66

**Revised:**

- 9/11/79
- 7/13/82
- 8/9/88

**Last Revised:** 11/14/17

## 1.2: BOARD ORGANIZATION AND VACANCIES

### Election of Officers

The Board of the Pulaski County Special School District consists of seven (7) members elected from the zones in which they reside by the qualified voters of that zone. Each member is elected for a term of five (5) years. The Board shall elect a president, vice president, secretary, and legislative liaison at the first regular meeting following the later of: the certification of the results of the annual school election; or if there is a runoff election, at the first regular meeting following the certification of the results of a run-off election. Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board. The Board shall also elect through a resolution passed by a majority vote one of its members to be the primary board disbursing officer and may designate one or more additional board members as alternate board disbursing officers. A copy of the resolution will be

in the manner prescribed in this policy.

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The secretary of the school district board of directors shall notify the county clerk of an appointment to the school district board of directors within five (5) days of the appointment being made. The notice shall include the name of the appointed board member and the expiration date of his or her term.

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An individual appointed to fill a vacancy must submit proof of having received the oath of office to the county clerk before the individual may assume any duties.

**Cross References:**

- 1.3—Duties of the President
- 1.4—Duties of the Vice-President
- 1.5—Duties of the Secretary
- 1.16 —Duties of Board Disbursing Officer
- 1.19—Board Member Length of Term and Holdovers
- 1.20—Duties of the Legislative Liaison

**Legal References:**

- A.C.A. § 6-13-611
- A.C.A. § 6-13-612
- A.C.A. § 6-13-613
- A.C.A. § 6-13-616
- A.C.A. § 6-13-618
- A.C.A. § 6-13-629

**Adopted:** 10/10/72

**Revised:** 7/13/82

**Last Revised:** 11/14/17

**Last Revised:** 2/1/18

## **1.3: DUTIES OF THE PRESIDENT**

The duties of the president of the Board of Education shall include, but shall not be limited to:

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1. Presiding at all meetings of the Board;
2. Calling special meetings of the Board;
3. Working with the Superintendent to develop Board meeting agendas;
4. Signing all official documents that require the signature of the chief officer of the Board of Education;
5. Appointing all committees of the Board and serving as ex-officio member of such committees; and
6. Performing such other duties as may be prescribed by law or action of the Board.

The president shall have the same right as other members to offer resolutions, make or second motions, discuss questions, and to vote.

**Legal Reference:** A.C.A. § 6-13-619 (a) (1)

**Adopted:** 3/8/66

**Revised:**

- 10/10/72
- 7/13/82

**Last Revised:** 11/14/17

#### 1.4: DUTIES OF THE VICE-PRESIDENT

The duties of the Vice President of the Board shall include:

1. Serving as presiding officer at all school board meetings from which the president is absent; and
2. Performing such other duties as may be prescribed by action of the Board.

**Adopted:** 3/8/66

**Revised:**

- 10/10/72

enter executive session for any reason.

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### Voting and failure to vote

All Board members, including the President, shall vote on each motion, following a second and discussion of that motion.

Only those votes taken by the Board in open session are legally binding. No motion made or vote taken in executive session is legally binding, although a non-binding, unofficial and non-recorded vote may be taken in executive session to establish consensus or further discussion.

### Abstentions from Voting

In order for a Board member to abstain from voting, he must declare a conflict and remove himself from the meeting room during the vote. A Board member who removes himself/herself from a meeting during a vote due to a conflict of interest shall not be considered present at the meeting for the purpose of establishing a quorum until the member returns to the meeting after the vote.

**Legal Reference:** A.C.A. § 6-13-619

**Date Adopted:** 7/13/82

**Revised:** 9/11/84

**Revised:** 11/14/17

**Last Revised:** 2/12/20

## 1.7P: POWERS AND DUTIES OF THE BOARD

The Arkansas Board of Education, operating in accordance with state and federal laws, assumes its responsibilities for the operation of Pulaski County Special School District Public Schools. The Board shall concern itself primarily with the broad questions of policy as it exercises its legislative and judicial duties. The administrative functions of the

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District are delegated to the Superintendent who shall be responsible for the effective administration and supervision of the District.

Some of the duties of the Board include:

- 1. Developing and adopting policies to effect the vision, mission, and direction of the District;
- 2. Understanding and abiding by the proper role of the Board of Directors through study and by obtaining the necessary training professional development;
- 3. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board's policies;
- 4. Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;
- 5. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;
- 6. Approving the selection of curriculum and seeing that all courses for study and educational content prescribed by the State Board or by law for all grades of schools are offered and taught;
- 7. Reviewing, adopting, and publishing the District's budget for the ensuing year;
- 8. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;
- 9. Monitoring District finances and receiving, reviewing, and approving each annual financial audit;
- 10. Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;
- 11. Visiting schools and classrooms when students are present no less than annually;
- 12. Setting an annual salary schedule;
- 13. Being fiscally responsible to the District's patrons and maintaining the millage rate

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14. Involving the members of the community in the District's decisions to the fullest extent practicable; and
  15. Striving to assure that all students are challenged and are given an equitable educational opportunity.
  16. Refrain as an individual from requesting the services of any school employee
  17. The Board will maintain accurate records of the action taken at regular and special meetings.
  18. Perform specific duties imposed upon the Board by statutes.

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**Legal References:** A.C.A. § 6-13-620, 622

Date Adopted: 10/10/72

Revised: 7/13/82

Last Revised: 11/14/17

## 1.8: GOVERNANCE BY POLICY

The district shall operate within the legal frameworks of the State and Federal Constitutions; State and Federal statutes; State rules; Federal regulations; and court decisions. The legal frameworks governing the district shall be augmented by policies adopted by the District board of directors which shall serve to further define the operations of the district.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by the legal frameworks or policy of the Board. The Superintendent shall inform the members of the Board of such action. The Board shall then consider whether it is necessary to formulate and adopt a policy to cover such circumstances.

The official copy of the policy manual for the District shall be kept in the Superintendent's office. Copies of the manual within the District shall be

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Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.\*

\* **Legal Reference:** A.C.A. § 25-19-106

**Date Adopted:** 3/8/66

**Revised:**

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- 10/10/72
- 7/13/82

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**Last Revised:** 11/14/17

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## 1.13: SUPERINTENDENT/BOARD RELATIONSHIP

The Board's primary responsibility is to develop, working collaboratively with the community, a vision and mission for the District. The Board formulate and adopts policies to achieve that vision and elects a Superintendent to implement its policies. The Board and the Superintendent and the relationship between them set the tone for the district to follow. The relationship is enhanced when both parties understand their roles and carry them out in an ethical and professional manner working to develop a relationship of mutual trust and respect.

The Superintendent and staff are responsible for administering the Board's policies and will be held responsible for the effective administration and supervision of the District. The Superintendent is authorized to develop and implement administrative regulations to fulfill the Board's policies, provided such regulations are consistent with the intent of the Board's policies.

**Date Adopted:** 7/13/82

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## BOARD POLICIES

### Section 2: Administration

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## **SECTION 2: ADMINISTRATION**

Section 2 of the ASBA classification system contains policies, regulations, and exhibits on school management, administrative organization, and school building and department administration - including the administrative aspect of special programs and system-wide reforms such as school- or site-based management. It also houses personnel policies on the superintendent, senior administrators (management team), and school principals. All phases of policy implementation procedures or regulations - are properly located in this section.

### **2.1P: DUTIES OF THE SUPERINTENDENT**

The Superintendent, as the chief executive officer of the Board and the school system, shall be the administrative head of all departments in the District. The Superintendent shall be responsible to the Pulaski County Special School District Board of Education for administering the school system according to the mandates of the laws, Division of Elementary and Secondary Education, other agencies of jurisdiction, and policies governing school operations. While the Superintendent may delegate his/her duties when and where necessary and appropriate, he/she shall be responsible to the Board for the results of those duties delegated.

The Superintendent shall be the Ex officio financial secretary as provided for in A.C.A. § 6-17-918(a).

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The Superintendent's duties include:

1. Implementing the policies of the Board, maintain a set of written policies and procedures for the guidance of the school system and interpret them to the staff and community;
2. Being responsible for the planning and implementation of an educational program in accordance with State and Federal requirements and the needs of the District;
3. Reporting to the Board concerning the status of the educational program, personnel, and operations, and making recommendations for improving instruction, activities, services, and facilities;
4. Acting as a liaison between the Board and school personnel;
5. Making recommendations to the Board concerning personnel employment, discipline, and termination;
6. Communicating the District's vision, mission, current status, and needs to staff, students, parents, and the community;
7. Being responsible for the development of short- and long-term goals for the District;
8. Preparing and presenting an annual budget for the District to the Board for its consideration;
9. Administering the District's budget and regularly reporting to the Board on the financial condition of the District;
10. Attending and participating in all meetings of the Board except when his employment is being considered;
11. Preparing, in consultation with the Board President, the agenda for all Board meetings;
12. Being responsible for the planning and implementation of an effective personnel evaluation system that is aligned with the goals of the District; and
13. Maintaining the current knowledge of developments in curriculum and instruction, as well as pertinent legal changes, and advising

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14. The Superintendent will prepare and present to the public and the Board a comprehensive annual report which will summarize the curriculum, special programs and services provided by the District. The report will provide additional information of importance to the community on school operations and District needs. The time of presentation and the format of the annual report will be at the discretion of the Superintendent.
15. Assume other duties as assigned by the Board.

**Manual Adoption:** 2/8/00**Legal References:**

- School Laws of Arkansas 6-12-108; 6-13-621;
- 6-17-301

**Date Adopted:** 10/10/72**Revised:** 12/14/82**Revised:** 11/14/17**Last Revised:** 6/26/19

## 2.2: SUPERINTENDENT COMPENSATION

The salary and employment benefits of the Superintendent shall be determined by the Board. This includes such benefits as insurance, transportation allowances, annual vacations, holidays, and any other entitlements as deemed appropriate.

**Date Adopted:** 02/9/79**Revised:** 12/14/82**Last Revised:** 11/14/17

## 2.3P: DISTRICT ORGANIZATION PLAN

Legal authority of the Board is transmitted through